



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1404

by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

50 ILCS 105/1

from Ch. 102, par. 1

Amends the Public Officer Prohibited Activities Act. Provides that no member of a county board, during the term of office for which he or she is elected, may be appointed to, accept, or hold any office unless he or she first resigns from the office of county board member prior to taking the oath of office to another office. Effective immediately.

LRB097 06798 KMW 46889 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Officer Prohibited Activities Act is
5 amended by changing Section 1 as follows:

6 (50 ILCS 105/1) (from Ch. 102, par. 1)

7 Sec. 1. County board. No member of a county board, during
8 the term of office for which he or she is elected, may be
9 appointed to, accept, or hold any office other than (i)
10 chairman of the county board or member of the regional planning
11 commission by appointment or election of the board of which he
12 or she is a member, (ii) alderman of a city or member of the
13 board of trustees of a village or incorporated town if the
14 city, village, or incorporated town has fewer than 1,000
15 inhabitants and is located in a county having fewer than 50,000
16 inhabitants, or (iii) trustee of a forest preserve district
17 created under Section 18.5 of the Conservation District Act,
18 unless he or she first resigns from the office of county board
19 member prior to taking the oath of office to another office or
20 unless the holding of another office is authorized by law. Any
21 such prohibited appointment or election is void. This Section
22 shall not preclude a member of the county board from being
23 selected or from serving as a member of a County Extension

1 Board as provided in Section 7 of the County Cooperative
2 Extension Law, as a member of an Emergency Telephone System
3 Board as provided in Section 15.4 of the Emergency Telephone
4 System Act, or as appointed members of the board of review as
5 provided in Section 6-30 of the Property Tax Code. Nothing in
6 this Act shall be construed to prohibit an elected county
7 official from holding elected office in another unit of local
8 government so long as there is no contractual relationship
9 between the county and the other unit of local government. This
10 amendatory Act of 1995 is declarative of existing law and is
11 not a new enactment.

12 (Source: P.A. 94-617, eff. 8-18-05.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.